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Pollard spy case's larger issue: Why spy on friends?

Israelis seen as second only to Soviets in seeking data in US

By Warren Richey

Staff writer of The Christian Science Monitor

Washington

The Jonathan Pollard espionage case has sparked a broad federal investigation into alleged Israeli spy activities in the United States.

And it has raised questions about why friendly countries spy on each other.

"Of course it goes on," says former Central Intelligence Agency director Stansfield Turner, referring to such activities. "But there is a big difference. When you spy on an enemy you risk having your agents captured and jailed, or killed. When you spy on a friend, you risk considerable embarrassment and impact on your foreign policy."

In the wake of Pollard's guilty plea on Wednesday to charges that he supplied Israeli officials with stacks of sensitive US military secrets, Israel is working to minimize any damage from the case on US-Israeli relations.

The Israeli government has said little about the Pollard case, but officials have repeatedly stressed that the former Navy intelligence analyst's spying was an unauthorized espionage operation carried out without the knowledge and support of the Israeli government.

Some Reagan administration officials have their doubts. Details of the Pollard case contained in court documents show that the Pollard spy ring was well organized, well financed, and involved an Israeli Air Force colonel, an Israeli intelligence officer, the science consul at the Israeli Embassy in Washington, and an employee at the embassy. All four were named in court documents as unindicted co-conspirators.

In addition, the documents indicate that other Israeli officials and diplomats may have been present at meetings when Pollard delivered stolen US classified documents. US Attorney Joseph E. diGenova says the investigation is continuing and that individuals cited in the court papers are the subject of probes.

As a reward for his espionage, Pollard was told that he had been granted Israeli citizenship and that after 10 years of spying in the United States he would move to Israel and live under a new identity as "Danny Cohen," the documents say. In addition, a foreign bank account was set up with the understanding that \$30,000 would be deposited in the account each year during Pollard's anticipated 10 years as an Israeli spy.

Such preparations and promises suggest to some US officials a broader Israeli government involvement in the case. Others maintain that these new details fail to disprove Israeli government assertions that the operation was organized by a cadre of officials within Israel's intelligence bureaucracy who were operating without broader government authority.

Admiral Turner and William Colby, also a former CIA director, declined to discuss the extent of Israeli espionage activities in the US.

A classified 1979 CIA report on Israeli intelligence activities said that information on secret US policy and collection of scientific intelligence in the US were top priorities for the Israelis. The former chief of the Justice Department's internal-security section has been quoted as saying that Israeli intelligence was the second most active foreign intelligence service in the US. The most active spy network is run by the Soviet Union.

"We always assume that they [the Israelis] have a high degree of activity," says a former US intelligence official. But he noted that clandestine efforts by Israeli agents and the risks of being exposed would normally be balanced against the large amount of information Israeli officials could gain through legitimate channels and contacts. US and Israeli intelligence services cooperate closely on matters of mutual concern.

"Any intelligence operation has to answer three questions: How important is the information? What are the risks of being exposed? What is the result if exposed?" Mr. Colby says.

He notes that the US has had agents in "various countries around the world," but that certain close allies have been considered off bounds for clandestine operations. "We would be out of our minds if we spied on Canada. The negative results on such a close ally would be ridiculous," Colby says.

Likewise, some observers say it is hard to believe that the Israeli government would jeopardize its solid relations with the US and \$3 billion in US aid simply to maintain an illicit back channel for classified US documents. "When you weigh the benefits of spying against friend or foe, the closer the friend the less likely there are to be benefits," Turner says. "I can't see where the Israelis have much of anything to benefit from a man like Pollard."

He noted that the Pollard case underscores the need in democratic countries for a system of checks and balances, similar to those in the US, to ensure that intelligence officials are held accountable for their actions and their mistakes.

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Attack on SALT-2 is no laughing matter

By LARS-ERIK NELSON

WASHINGTON—From one White House official came a startled giggle. From an intelligence official, there was a serious "Hmmm, that's a good question." From the Arms Control Agency, the answer, after a day of thought, was "Nobody knows the answer to that."

The question that produced this display of mumbles and grins: "Now that President Reagan has thrown out the SALT-2 treaty, what are we going to do if the Russians start concealing their nuclear missile deployments, covering up submarines, spoofing our satellites, hiding data from their missile tests?"

The Reagan administration response: Giggles, "Hmmms" and an uneasy shuffling of feet.

A more serious response from a career State Department official: "If the Russians cheat in the future, we won't have any basis for complaint. There is no standard any longer." Adds a Senate expert: "If they start to conceal their tests, we won't have any right to call them on it."

In the past, if the Russians covered up a nuclear missile silo or encrypted data from a missile test, the United States could challenge them at the Standing Consultative Commission. That forum wasn't perfect, but it did clear up some U.S. misgivings about possible Soviet cheating.

No longer will the Russians be obliged to answer any questions about their strategic nuclear force. By junking SALT-2, Reagan has taken them off the hook.

What the administration has overlooked in its lust to slay the "fatally flawed" treaty, is that SALT-2 was two treaties—a U.S.-Soviet intelligence agreement, and a cap on nuclear weapons.

As an intelligence treaty, SALT-2 worked overwhelmingly to the advantage of the U.S. It obliged the Soviets to maintain an "open skies" policy for sophisticated U.S. satellites. It forced the Soviet military to be less secretive than it prefers.

Article 15 said, "Each party undertakes not to use deliberate concealment measures which impede verification... of compliance with the provisions of this treaty."

The ban on concealment applied equally to the U.S. and the Soviet Union, but, as former CIA director Stansfield Turner said in an interview, "There is an asymmetry in need"—i.e., we needed satellite and signal information far more than the Russians did, and SALT-2 guaranteed it for us.

Not any more. Where once we used to complain that the Russians encrypted some of the telemetry (radio data) from their missile tests, now they are free to encrypt all of it. "We've thrown out the baby with the bathwater," says former National Security Council expert Roger Molander.

Reagan's SALT-2 decision has been a triple play: It has antagonized the European allies, it has given the Russians freedom to return, if they choose, to a nuclear build-up in total secrecy—and it has united Democrats on an arms-control policy.

The first challenge to Reagan's decision will come next month—not from the Russians, but from House Democrats preparing legislation to bar him from spending any money to violate the limits on SALT-2.

Under the plan, engineered by Rep.

Les AuCoin (D-Ore.), Reagan would have to abide by SALT-2 ceilings as long as the Russians do. It is a strategy that short-circuits the Constitution—but it has worked before: Last December, AuCoin used the power of the purse to force the administration not to test antisatellite weapons as long as the Russians don't.

NEXT MONTH, House Democrats will submit a bill to force Reagan to dismantle Minuteman missiles if he proceeds with his plan to arm more B-52 bombers with cruise missiles. Normally, such extra-Constitutional diplomacy wouldn't have a prayer. But the Democrats are concluding, in the words of one staffer, that Reagan's tough-sounding policies "really don't protect this country's national security."

Use of Disclosures

Administration Often Unveils Secrets, At Risk to Security, for Sake of Policy

By LESLIE H. GELB

Special to The New York Times

WASHINGTON, June 1 — The Reagan Administration has been following a pattern of disclosing highly classified information to support its foreign policies, even though a number of Administration officials say these disclosures have endangered intelligence sources and methods. This fits the well-established practice of its predecessors, with two important variations: In the

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memory of a number of past and present officials, the Reagan team does it more often. And this Administration has been more aggressive in threatening the news media with prosecution for conveying similar intelligence information to the American people.

This has set off a struggle between press and government over what intelligence data should be made public and who should decide. William J. Casey, the Director of Central Intelligence, once again highlighted those issues with more threats to the press last week concerning coverage of the trial of Ronald W. Pelton, a former official of the National Security Agency who is accused of spying for the Soviet Union. By the week's end the White House had moved to soften the threat somewhat.

Today, in separate television interviews, Secretary of State George P. Shultz and Defense Secretary Caspar W. Weinberger, while supporting the view that journalists who break the law on disclosing intelligence secrets should be prosecuted, called for voluntary restraints and appeals to journalists' sense of responsibility.

While the Administration's thrust has been to bear down on the press, with frequent warnings in recent weeks, its own role and reasons in divulging such information have received scant attention.

As Representative Les Aspin, chairman of the House Armed Services Committee, put it: "Every administration wants to have it both ways — to keep its secrets, and to reveal them whenever doing so is useful for their politics and policies." The Wisconsin Democrat, a former Intelligence Committee member, added that in his judgment a number of Administration disclosures have been "more damaging to our gaining necessary information than the press disclosures the Administration is complaining about."

Administration disclosures include revealing the most sensitive communications interceptions in the recent case of Libya and the Soviet Union on a number of occasions, as well as releasing satellite photographs regarding Nicaragua in 1982.

The disclosures also include an incident last year in which the Central Intelligence Agency offered the press detailed information provided by one of the highest-ranking Soviet defectors of recent times.

Testimony at Spy Trial

Last week the disclosures entailed a Federal prosecutor, for the first time using information supplied by the United States intelligence community, speaking in a spy trial of the general American capability to "exploit," "process," and "analyze" Soviet messages.

In each instance, according to Administration officials, intelligence officers and others have argued against disclosure on the ground that adversaries, knowing they were being seen and heard, could take steps to block these processes in the future.

To some Administration officials and others, these authorized disclosures have been more damaging to intelligence collection than the unauthorized press disclosures of recent weeks that have so exercised Administration leaders. These include press accounts of the details of Libyan messages after President Reagan had talked publicly about the substance of those messages regarding terrorist activities in Berlin.

Of the greatest concern to the Administration were reports that an American spy had told Moscow that United States submarines were involved in listening to Soviet communications, information presumably already in Moscow's possession.

When to Go Public?

Nonetheless, the weight of opinion expressed by officials of past and present Presidential administrations is that the one in power has the right to decide when intelligence must be compromised to advance policy.

"I've always been of the view that an administration has to be able to make the judgment when to disclose, even if intelligence people are opposed," said McGeorge Bundy, President Kennedy's national security adviser. He recalled Kennedy's decision to reveal satellite photographs of Soviet missiles in Cuba in 1963 as a legitimate exercise of this right.

Stansfield Turner, a retired admiral who was President Carter's intelligence chief, went further, saying that "we always have to make compromises" in balancing intelligence sources with policy considerations. But, he said, it is "impossible to make this judgment from outside the Government."

Both maintained that the press had the right to publish unauthorized information. But Admiral Turner insisted that the press then had to accept the risks of prosecution.

In 1982, the Administration made public aerial reconnaissance photographs that intelligence officials said proved Nicaragua, with Soviet and Cuban aid, was assembling the largest military force in Central America and was supplying Salvadoran guerrillas. At the time, a senior Administration official said: "It's a no-win situation. If we go public with the information, we may lose our ability to continue collecting in the field. If we don't, we may lose our chance to build public support for the policy."

As it turned out, according to officials, the Administration neither lost its intelligence access nor convinced many of the extent of the military threat. But the photographs might have been useful to Soviet intelligence.

In 1983, after the Soviet Union shot down a Korean airliner, killing 269 people aboard, Secretary Shultz revealed that American listening posts had intercepted the radio conversations between the Soviet pilot and his controllers.

The disclosure may have failed to prove his point that the Soviets knew the plane was not an intelligence aircraft and, as far as many intelligence officers were concerned, told Moscow that the United States could intercept important Soviet military communications.

The Case of the Defector

In late 1985, the Central Intelligence Agency made a determined effort to tell reporters details about their interrogation of Vitaly S. Yurchenko, a key Soviet intelligence agent who apparently defected and then slipped out of American control and returned to Moscow. The C.I.A. told its side, as some of its officials acknowledged at the time, to show that he had been a valuable informer, contrary to White House assertions of his uselessness.

A number of Administration officials at the time maintained that these C.I.A. disclosures tipped off Moscow to what Mr. Yurchenko had divulged, in the same way that Mr. Casey is seeking to prevent the press from telling Moscow and the American public about Mr. Pelton's alleged disclosures.

Earlier this year, Mr. Reagan publicly spoke of the Administration's knowledge of messages sent to and from Tripoli and its diplomatic posts. He said these proved Libyan involvement in the terrorist attack April 5 against a discotheque in West Berlin, in which two people were killed and 230 others wounded.

Several intelligence officials thought the disclosure would allow the Libyans to prevent similar interception in the future.

As to the decision to make disclosures at the Pelton trial, Edward P. Djerjian, a White House spokesman, said last week that it was "made by appropriate Government authorities after careful consideration of the demands of trial and the potential harm that release of this selected data may cause the national security."